

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By **CHAIRMAN TRUDI SCHMIDT**, on April 3, 2007 at 8:00 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Trudi Schmidt, Chairman (D)
Sen. Keith Bales (R)
Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. John Cobb (R)
Sen. Mike Cooney (D)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Lane L. Larson (D)
Sen. Dave Lewis (R)
Sen. Greg Lind (D)
Sen. Corey Stapleton (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)
Sen. Dan Weinberg (D)
Sen. Carol Williams (D)

Members Excused: None.

Members Absent: None.

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 4, 3/31/2007; HB 19, 3/31/2007;
HB 131, 3/31/2007; HB 540,
3/31/2007; SB 566, 3/31/2007; SB
565, 3/31/2007

Executive Action: HB 809

00:00:00

HEARING ON HB 4

Opening Statement by Sponsor:

00:00:23 REP. JOHN MUSGROVE (D), HD 34, opened the hearing on HB
4, Appropriations normally made by budget amendment.

Proponents' Testimony:

00:01:16 Amy Sessano, Budget Office

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

00:02:30 Rep. Musgrove

HEARING ON HB 19

Opening Statement by Sponsor:

00:03:26 REP. WALTER MCNUTT (R), HD 37, opened the hearing on HB
19, Prohibit diversion of Morrill Act land revenue for
administrative costs.

Proponents' Testimony:

00:05:09 Tom Schultz, Trust Land Management Division, Department
of Natural Resources

00:06:57 Mick Robinson, Montana University System

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:07:39 Sen. Hawks to Tom Schultz

00:09:12 Sen. Tash to Tom Schultz

00:10:21 Sen. Barkus to Tom Schultz

Closing by Sponsor:

00:13:22 Rep. McNutt

HEARING ON HB 131

Opening Statement by Sponsor:

00:14:14 **REP. JON SESSO (D), HD 76**, opened the hearing on **HB 131**, Actuarial funding for MPERA retirement systems.

Proponents' Testimony:

00:21:40 David Ewer, Budget Director

00:30:57 Tom Schneider, Montana Public Employees Association

00:33:37 Tom Bilodeau, MEA-MFT

00:35:28 Claudia Clifford, AARP Montana

Opponents' Testimony:

00:36:49 Rep. Bob Bergen, HD 33

00:40:30 Jim Kembel, Montana Association of Chiefs of Police,
and Police Protective Association

00:44:23 Doug Neil, Montana State Fireman's Association

00:48:51 Roxanne Minnehan, Executive Director, Montana Public
Employees Association, and the Montana Public Employees
Retirement Board

EXHIBIT(fcs71a01)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:56:16 Sen. Tash to David Ewer

00:58:19 Sen. Barkus to Rep. Sesso

01:02:20 David Ewer

01:03:55 Sen. Barkus to Sen. Lewis

Closing by Sponsor:

01:04:48 Rep. Sesso

HEARING ON HB 540

Opening Statement by Sponsor:

01:08:33 **REP. GEORGE GROESBECK (D), HD 74**, opened the hearing on
HB 540, Increase silicosis benefits.

Proponents' Testimony:

01:12:35 Debbie Shea, Butte

Opponents' Testimony: None.

Informational Testimony:

01:13:48 Jerry Keck, Department of Labor and Industry

Questions from Committee Members and Responses:

01:14:37 Sen. Laible to Rep. Groesbeck

01:16:16 Sen. Laible to Jerry Keck

01:18:33 Sen. Cooney to Rep. Groesbeck

Closing by Sponsor:

01:21:52 Rep. Groesbeck

01:22:49 Recess

01:40:08 Reconvene

HEARING ON SB 566

Opening Statement by Sponsor:

01:40:52 **SEN. BOB HAWKS (D), SD 33**, opened the hearing on **SB 566**, University system incentives and accountability measures.

Proponents' Testimony:

01:46:23 Mick Robinson, Montana University System

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:48:26 Sen. Lewis to Sen. Hawks

01:52:02 Sen. Lewis to Sheila Stearns, Commissioner of Higher Education

01:55:44 Sen. Barkus to Sen. Hawks

01:57:56 Sen. Barkus to Alan Peura, Legislative Fiscal Division

02:04:15 Taryn Purdy, Legislative Fiscal Division

02:05:00 Sen. Barkus to Taryn Purdy

02:05:40 Sen. Hansen to Sen. Hawks

02:07:15 Sen. Hansen to Sheila Stearns

02:07:41 Sen. Lewis to Alan Peura

Closing by Sponsor:

02:09:07 Sen. Hawks

HEARING ON SB 565

Opening Statement by Sponsor:

02:11:05 **SEN. TRUDI SCHMIDT (D), SD 11**, opened the hearing on **SB 565**, Clarify statutory authority for multiple appropriation bills.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:15:23 Sen. Bales to Taryn Purdy

Closing by Sponsor:

02:18:28 Sen. Schmidt

02:19:01 Recess

02:49:56 Reconvene

EXECUTIVE ACTION ON HB 809

02:50:08 **Motion:** SEN. HAWKS moved that HB 809 BE CONCURRED IN.

02:50:37 **Motion:** SEN. HAWKS moved that AMENDMENT HB080901.AGP
BE ADOPTED.

EXHIBIT(fcs71a02)

Discussion:

02:50:59 Sen. Wanzenried

02:51:20 Jim Standaert, Legislative Fiscal Division

02:52:04 Taryn Purdy

02:52:09 Jim Standaert

02:52:20 Taryn Purdy

02:52:49 **Vote:** Motion carried 16-0 by voice vote.

02:53:12 **Motion/Vote:** SEN. HAWKS moved the BOILERPLATE IN THE
CURRENT STUDY BILL. Motion carried by voice vote.

02:53:26 **Motion:** SEN. WANZENRIED moved that AMENDMENT BE
HB080901.APJ BE ADOPTED.

EXHIBIT(fcs71a03)

Discussion:

02:53:28 Sen. Wanzenried

02:54:17 **Vote:** Motion carried 14-4 by voice vote with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, and SEN. STAPLETON voting no. SEN. LIND voted aye by proxy.

02:55:28 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080921.AJS BE ADOPTED.

EXHIBIT(fcs71a04)

Discussion:

02:56:09 Sen. Wanzenried

02:56:46 **Vote:** Motion carried 15-3 by voice vote with SEN. BARKUS voting no. SEN. STAPLETON and SEN. LAIBLE voted no by proxy. SEN. LIND voted aye by proxy.

02:57:26 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080922.AJS BE ADOPTED.

EXHIBIT(fcs71a05)

Discussion:

02:57:28 Sen. Wanzenried

02:58:01 Sen. Bales to Jim Standaert

02:59:24 **Vote:** Motion carried 16-0 by voice vote.

02:59:40 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080923.AJS BE ADOPTED.

EXHIBIT(fcs71a06)

Discussion:

03:00:13 Sen. Wanzenried

03:00:23 Sen. Cobb to Sen. Wanzenried

03:00:51 Jim Standaert

03:01:11 Sen. Lewis to Jim Standaert

03:03:39 Sen. Bales to Jim Standaert

03:04:16 Sen. Brueggeman to Taryn Purdy

03:05:12 Sen. Weinberg to Sen. Brueggeman

03:05:53 Sen. Wanzenried

03:06:16 Sen. Brueggeman

03:06:36 **Vote:** Motion carried 13-5 by voice vote with SEN. BALES, SEN. BARKUS, and SEN. LEWIS voting no. SEN. LAIBLE, and SEN. STAPLETON voted no by proxy.

03:07:00 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080924.AJS BE ADOPTED.

EXHIBIT(fcs71a07)

Discussion:

03:07:07 Sen. Wanzenried

03:07:39 **Vote:** Motion carried 17-0 by voice vote.

03:07:51 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080928.AJS BE ADOPTED.

EXHIBIT(fcs71a08)

Discussion:

03:08:26 Sen. Wanzenried

03:08:55 Linda McCulloch, Superintendent of Public Instruction

03:09:56 Sen. Lewis to Linda McCulloch

03:11:57 Sen. Wanzenried

03:12:44 **Vote:** Motion carried 13-6 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. COBB, SEN. LEWIS, and SEN. TASH voting no. SEN. STAPLETON voted no by proxy. SEN. COONEY and SEN. LAIBLE voted aye by proxy.

03:14:25 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080939.AJS BE ADOPTED.

EXHIBIT(fcs71a09)

Discussion:

03:14:26 Sen. Wanzenried

03:16:11 **Vote:** Motion carried 14-5 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. STAPLETON, and SEN. TASH voting no. SEN. LAIBLE voted no by proxy. SEN. COONEY and SEN. LIND voted aye by proxy.

03:17:39 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080934.AJS BE ADOPTED.

EXHIBIT(fcs71a10)

Discussion:

03:17:41 Sen. Wanzenried

03:19:41 Sen. Hawks

03:20:36 **Vote:** Motion carried 15-2 by voice vote with SEN. BALES voting no. SEN. BARKUS voted no by proxy.

03:20:54 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB080935.AJS BE ADOPTED.

EXHIBIT(fcs71a11)

Dissussion:

03:20:56 Sen. Wanzenried

03:22:23 Sen. Tropila

03:23:04 Sen. Stapleton to Sen. Wanzenried

03:24:49 Sen. Wanzenried to Linda McCulloch

03:26:46 Sen. Bales to Linda McCulloch

03:31:56 Sen. Stapleton to Linda McCulloch

03:36:06 Sen. Laible to Linda McCulloch

03:36:56 Sen. Bales to Jim Standaert

03:38:45 Linda McCulloch

03:40:18 **Vote:** Motion carried 17-0 by voice vote.

03:40:48 **Motion:** SEN. HAWKS moved that AMENDMENT HB080927.AJS
BE ADOPTED WITH A CONCEPTUAL CHANGE STRIKING "\$4,120" AND
INSERTING "\$3,042" IN THE EXPLANATION.

EXHIBIT(fcs71a12)

Discussion:

03:40:50 Sen. Hawks

03:41:43 Jim Standaert

03:42:33 Sen. Schmidt to Sen. Hawks

03:43:23 Sen. Wanzenried to Madalyn Quinlan, Office of Public
Instruction

03:44:52 Sen. Hawks withdrew his motion

03:45:04 Sen. Bales to Madalyn Quinlan

03:48:18 Jim Standaert to Linda McCulloch

03:49:28 Sen. Laible

03:50:25 Sen. Wanzenried to Sen. Laible

03:52:55 Sen. Hawks

03:53:44 Sen. Williams

03:54:44 Sen. Bales

03:56:10 Sen. Wanzenried to Jim Standaert

03:58:16 Sen. Cobb

03:58:27 Sen. Wanzenried

03:58:34 Sen. Schmidt

04:00:13 **Motion:** SEN. LEWIS moved that AMENDMENT HB080920.AJS
BE ADOPTED.

EXHIBIT(fcs71a13)

Discussion:

04:00:15 Sen. Lewis

04:00:17 **Vote:** Motion carried 17-0 by voice vote.

04:00:48 **Motion:** SEN. LIND moved that AMENDMENT HB080936.AJS BE ADOPTED.

EXHIBIT(fcs71a14)

Discussion:

04:00:50 Sen. Lind

04:01:43 Sen. Laible

04:01:47 Sen. Hawks to Linda McCulloch

04:02:43 Sen. Bales to Linda McCulloch

04:04:16 **Vote:** Motion carried 17-0 by voice vote.

04:04:36 **Motion:** SEN. WILLIAMS moved that AMENDMENT HB080937.AJS BE ADOPTED.

EXHIBIT(fcs71a15)

Discussion:

00:04:43 Sen. Williams

04:06:02 Sen. Hawks

04:06:30 Sen. Lind

04:07:21 Jim Standaert re: adding restrictive language to amendment

04:07:25 Sen. Schmidt

04:07:45 Sen. Laible to Linda McCulloch

04:11:44 Sen. Stapleton

04:13:40 Sen. Gallus

04:14:44 Sen. Williams

04:15:49 Sen. Stapleton to Sen. Williams

04:17:09 Sen. Lind to Sen. Williams

04:18:09 Taryn Purdy

04:18:34 Sen. Laible

04:20:31 Taryn Purdy

04:20:53 Sen. Wanzenried

04:22:32 **Vote:** Motion carried 12-7 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. COONEY AND SEN. WEINBERG voted aye by proxy.

04:22:38 **Motion:** SEN. COBB moved that AMENDMENT HB080903.AKW BE ADOPTED.

[EXHIBIT\(fcs71a16\)](#)

[EXHIBIT\(fcs71a17\)](#)

04:25:19 Sen. Cobb

04:25:25 Sen. Williams to Linda McCulloch

04:26:50 Sen. Laible to Linda McCulloch

04:29:49 Sen. Laible

04:29:53 **Vote:** Motion failed 7-12 with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. STAPLETON, and SEN. TASH voting aye. SEN. COONEY AND SEN. WEINBERG voted no by proxy.

04:31:20 **Motion/Vote:** SEN. HAWKS moved that HB 809 BE CONCURRED IN AS AMENDED with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, SEN. STAPLETON, and SEN. TASH voting no.

ADJOURNMENT

Adjournment: 12:00 A.M.

SEN. TRUDI SCHMIDT, Chairman

PRUDENCE GILDROY, Secretary

TS/pg

Additional Exhibits:

EXHIBIT ([fcs71aad.pdf](#))